

HONORABLE MARSHA J. PECHMAN

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

MANUEL RIVERA,

Plaintiff,

v.

CAPE HORN FISHERIES, LLC; IQUIQUE U.S.,  
LLC; UNIMAK FISHERIES, L.L.C., F/T UNIMAK,  
her tackle, gear, furniture, apparel, appurtenances and  
equipment, ON# 637693,

Defendants.

At Law or In Admiralty

No. 05-0204-MJP

**STIPULATED MOTION AND  
ORDER TO AMEND CASE  
SCHEDULE**

**I. MOTION**

Plaintiff Manuel Rivera and Defendants Cape Horn Fisheries, LLC, Iquique U.S., LLC, and Unimak Fisheries, L.L.C., jointly move for an extension of certain current pre-trial dates set forth in the following stipulation. The parties demonstrate good cause for rescheduling the pre-trial dates, and this motion should be granted.

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**II. STIPULATION**

1. Plaintiff alleges personal injuries.

2. Plaintiff ceased treating for his personal injuries in late 2004 or early 2005.

3. Plaintiff recently began treating for his alleged injuries once again, however.

4. Plaintiff's resumption of treatment will require further discovery, and creates uncertainty as to what experts may required by the parties in order to properly respond to their respective claims and defenses.

9. In order to establish a case schedule that permits the parties sufficient time to complete discovery and disclose experts, the parties seek an order granting the limited relief set forth below from the Court's April 18, 2005 Order Setting Trial Date and Related Dates.

10. The parties stipulate and agree that the resumption of medical treatment constitutes good cause to amend the Order Setting Trial Date and Related Dates by continuing the Expert Witness Disclosure deadline to December 5, 2005, and the Motions Due deadline and the Discovery Cut-Off to January 3, 2006.

10. Therefore, there is good cause for continuing the pre-trial dates, and the parties respectfully request that the Court modify the case schedule as set forth above.

**STIPULATED AND AGREED TO:**

s/ Joseph Stacey (by telephone authorization)

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III. [PROPOSED] ORDER

THE COURT FINDS that good cause was shown to continue certain pre-trial dates.

IT IS HEREBY ORDERED that following case deadlines listed in the April 18, 2005 Order Setting Trial Date and Related Dates are amended as follows: the new Expert Witness Disclosure deadline shall be December 5, 2005; the new Motions Due deadline shall be January 3, 2006; and the new Discovery Cut-Off shall be January 3, 2006. All other dates remained unchanged. The clerk is directed to send attested copies of this order to all counsel of record.

DATED this 5th day of October, 2005.



Marsha J. Pechman  
U.S. District Judge

Presented by:

s/Joseph Stacey (by telephone authorization)

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